

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ALICIA HALL o/b/o M.C.L.B.,

Plaintiff,

V.

NANCY A. BERRYHILL,¹
ACTING COMMISSIONER OF
SOCIAL SECURITY

Defendant.

CASE NO. 1:16CV2748

JUDGE BENITA Y. PEARSON

MEMORANDUM OF OPINION
AND ORDER

An Administrative Law Judge (“ALJ”) denied Plaintiff Alicia Hall’s application for supplemental security income (“SSI”) on behalf of her minor child, M.C.L.B., after a hearing in the above-captioned case. That decision became the final determination of the Commissioner of Social Security when the Appeals Council denied the request to review the ALJ’s decision. The claimant sought judicial review of the Commissioner’s decision, and this Court referred the case to Magistrate Judge Thomas M. Parker for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(1\)](#). On November 30, 2017, the magistrate judge submitted a Report ([ECF No. 15](#)) recommending that the Court vacate the Commissioner’s decision and remand the case to the Commissioner.

¹ Carolyn W. Colvin was the original Defendant. She was sued in an official capacity as a public officer. On January 23, 2017, Nancy A. Berryhill became the Acting Commissioner of Social Security. Pursuant to [Fed. R. Civ. P. 25\(d\)](#), Berryhill's name has been automatically substituted as a party.

(1:16CV2748)

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service. On December 12, 2017, the Commissioner filed a Response to Magistrate Judge's Report and Recommended Decision ([ECF No. 16](#)), stating that the Commissioner will not be filing objections. Furthermore, Plaintiff has not filed any objections, evidencing satisfaction with the magistrate judge's recommendations. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. [Thomas v. Arn](#), 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); [Howard v. Secretary of Health and Human Services](#), 932 F.2d 505 (6th Cir. 1991); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Report and Recommendation of the magistrate judge is hereby adopted. The Court vacates the decision of the Commissioner of Social Security and remands this case to the Commissioner for rehearing and a new decision.

IT IS SO ORDERED.

December 15, 2017
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge